

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
P O BOX 50013
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Chapter 13

In Re:)	Case No. 13-50253 MEH
)	
LARRY DAVID JOHNS)	NOTICE OF DEFAULT IN
)	CHAPTER 13 PLAN PAYMENTS
LIVIAN LOFRANCO JOHNS)	AND DEMAND FOR CURE WITH
)	CERTIFICATE OF SERVICE
Debtors)	

NOTICE TO THE DEBTORS: YOU ARE BEHIND ON YOUR CHAPTER 13 PLAN PAYMENTS AND YOUR CASE WILL BE DISMISSED UNLESS YOUR DEFAULT IS CURED. YOU MUST TAKE ACTION WITHIN 20 DAYS OF THE DATE OF THIS NOTICE.

YOU ARE HEREBY NOTIFIED that the Chapter 13 Trustee's records show that you have not made all the payments required by your confirmed Chapter 13 Plan.

1. YOU ARE IN DEFAULT UNDER YOUR CHAPTER 13 PLAN. As of Nov 30, 2014 your payments to the Chapter 13 Trustee should total: \$1,650.00. According to the Trustee's records, you have only paid \$1,500.00 resulting in a \$150.00 default through Nov 30, 2014. (The default amount does not include any payments which have been suspended.)

1 2. **In order to continue to receive protection of the U.S. Bankruptcy Court you must**
2 **complete one of the following within 20 days:**

3 a. Bring the case current by paying in certified funds to the Trustee the amount of \$150.00;
4 OR

5 b. Meet and confer, by telephone, with the Trustee's representative AND enter into an
6 agreement to cure the default in a manner which is acceptable to the Trustee; OR

7 c. File and serve an Application to Modify Plan which shall propose terms under which you
8 will not be in default and which will provide for plan completion within 60 months of the
9 original time that the first payment under the original confirmed plan was due. You must
10 obtain an order approving the modified plan forthwith.

11 3. **Unless you pay the default amount, enter into an agreement with the Trustee, or**
12 **modify your plan as provided in paragraph 2 above, YOUR CASE SHALL BE**
13 **IMMEDIATELY DISMISSED WITHOUT ANY FURTHER NOTICE OR**
14 **HEARING.**

15 **PLEASE CONTACT YOUR ATTORNEY IMMEDIATELY. YOUR ATTORNEY MAY**
16 **BE ABLE TO ASSIST YOU WITH THIS PROBLEM.**

17
18 Dated: November 20, 2014

/s/ DEVIN DERHAM-BURK

DEVIN DERHAM-BURK

Chapter 13 Standing Trustee

1
2 **CERTIFICATE OF SERVICE BY MAIL**

3
4 I hereby declare that I am over the age of 18 years, not a party to the within cause; my business
5 address is 983 University Ave., Bldg. C-100, Los Gatos, CA 95032. I served the within Notice
6 of Default in Chapter 13 Plan Payments and Demand for Cure by placing same in an envelope in
7 the U.S. Mail at Los Gatos, California on November 20, 2014. Said envelopes were addressed
8 as follows:

9 LARRY DAVID JOHNS
10 LIVIAN LOFRANCO JOHNS
11 1051 APPLE COURT #A
HOLLISTER, CA 95023

12 In addition to any paper copies served by U.S. Mail, registered ECF participants, including parties
13 who have requested Special Notice in this case, will receive an electronic copy of the foregoing
14 document when it has been filed with the Court.

15
16 Dated: November 20, 2014

/s/ Herminia Silva

Office of DEVIN DERHAM-BURK
Chapter 13 Standing Trustee